



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

November 4, 2020

VIA ECF

Honorable Lorna G. Schofield
United States District Judge
United States District Court
40 Foley Square
New York, NY 10007

Re: The New York Times Co. v. Federal Communications Commission,
18 Civ. 8607 (LGS)

Dear Judge Schofield:

This Office represents defendant Federal Communications Commission (“FCC”) in the above-referenced Freedom of Information Act case brought by plaintiffs The New York Times Company, Nicholas Confessore, and Gabriel Dance (“Plaintiffs”). I respectfully write to request an extension of the deadlines for filing a joint status letter regarding the potential resolution of Plaintiffs’ request for attorneys’ fees, and for briefing Plaintiffs’ motion for fees if the parties are unable to resolve the issue, as so-ordered by this Court on October 6, 2020 [Dkt. No. 40]. Because FCC received Plaintiffs’ fee demand and supporting documentation on October 21, 2020, the extended deadlines are requested to give those with authority within FCC more time to review and authorize any potential settlement. This is the FCC’s first request for an extension of the joint status letter and briefing deadlines for Plaintiffs’ motion for fees. Plaintiffs’ counsel consents to this request. Should the Court grant this request, the parties propose that the current deadlines be extended as follows:

- Joint status letter regarding potential settlement of attorneys’ fees: November 20, 2020
- Plaintiffs’ motion for fees: December 9, 2020
- FCC’s opposition to Plaintiffs’ fee motion: January 6, 2021
- Plaintiffs’ reply in further support of their motion for fees: January 20, 2021

We thank the Court for its consideration of this request.

Respectfully submitted,

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cc: All Counsel of Record (via ECF)